

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DANIEL BLACK,

Exhibit I

Plaintiff,

-vs-

Case No. 2:17-CV-00156

DAVID CLARK, et al.,

Defendants.

Examination of DEPUTY JEFFREY T.
HARTUNG, taken at the instance of the Plaintiff,
under and pursuant to the Federal Rules of Civil
Procedure, before Sarah A. Hart, RPR, RMR,
Certified Realtime Reporter, and Notary Public in
and for the State of Wisconsin, at HUSCH BLACKWELL
LLP, 555 East Wells Street, Suite 1900, Milwaukee,
Wisconsin, on May 18, 2017, commencing at 9:58 a.m.
and concluding at 10:57 a.m..

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<p>1 A P P E A R A N C E S</p> <p>2 PETERSON, JOHNSON & MURRAY, S.C., by</p> <p>3 MR. WILLIAM F. SULTON</p> <p>4 788 North Jefferson Street, 5th Floor</p> <p>5 Milwaukee, Wisconsin 53202</p> <p>6 appeared on behalf of the Plaintiff.</p> <p>7 HUSCH BLACKWELL LLP, by</p> <p>8 MR. CHARLES H. BOHL</p> <p>9 555 East Wells Street, Suite 1900</p> <p>10 Milwaukee, Wisconsin 53202</p> <p>11 appeared on behalf of the Defendants.</p> <p>12</p> <p>13 * * * * *</p> <p>14 I N D E X</p> <p>15 Examination By: Page</p> <p>16 By Mr. Sulton3</p> <p>17</p> <p>18 Exhibits Identified: Page</p> <p>19 Exhibit 4 - Copy of pages from Deputy 31</p> <p>20 Hartung's daybook</p> <p>21 Exhibit 5 - Field Interview Report 36</p> <p>22 Exhibit 6 - Field Interview Narrative 41</p> <p>23</p> <p>24 Previously Marked Exhibits: Page</p> <p>25 Exhibit 1 - Screen shot of text messages from 26</p> <p>27 Captain Witek's phone</p> <p>28</p> <p>29 Disposition of Original Exhibits:</p> <p>30 Attached to Original Transcript.</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p>	<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2 JEFFREY T. HARTUNG, called as a witness</p> <p>3 herein, having been first duly sworn on oath, was</p> <p>4 examined and testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MR. SULTON:</p> <p>7 Q Good morning. My name is William Sulton. And as</p> <p>8 I'm sure you've figured out, I represent Dan Black</p> <p>9 in this case.</p> <p>10 A Yeah.</p> <p>11 Q Could you state and spell your name, please.</p> <p>12 A Jeffrey, J-E-F-F-R-E-Y. Hartung, H-A-R-T-U-N-G.</p> <p>13 Q Do you have a middle name?</p> <p>14 A I'm sorry. T, Tom, for a middle initial, Thomas.</p> <p>15 Q Sure. Normal spelling?</p> <p>16 A Yes. Conventional.</p> <p>17 Q All right. Good enough.</p> <p>18 What is your current rank?</p> <p>19 A Deputy sheriff one.</p> <p>20 Q And how long have you held that rank?</p> <p>21 A 22 years.</p> <p>22 Q Have you held any other rank?</p> <p>23 A No -- well, yeah, actually, we were all deputy</p> <p>24 sheriff zeroes way back when the jail opened.</p> <p>25 Q And how long did you hold that rank?</p>
Page 4	Page 5
<p>1 A I don't know.</p> <p>2 Q Less than five years?</p> <p>3 A I can't -- I don't recall. Probably three or four.</p> <p>4 There was a contract signed, and there was zeros --</p> <p>5 deputy zeros, deputy ones, deputy twos.</p> <p>6 Deputy ones were what everybody --</p> <p>7 people that were not in the jail that were</p> <p>8 deputies. All the deputy zeros were hired to fill</p> <p>9 the old jail -- I'm sorry, the new jail. So</p> <p>10 everyone was hired as deputy zero.</p> <p>11 And then twos were -- if they were in</p> <p>12 uniform, they were corporals; and if they were out</p> <p>13 of uniform, they were detectives. And then there</p> <p>14 was a contract passed by -- when Lev Baldwin was</p> <p>15 sheriff, and he eliminated all the ranks and just</p> <p>16 made everyone a deputy sheriff one in I want to say</p> <p>17 '98/'99.</p> <p>18 Q Okay. Have you worked for any other</p> <p>19 law-enforcement agency?</p> <p>20 A No. No.</p> <p>21 Q Obviously, we're here to talk about Dan Black's</p> <p>22 lawsuit against Sheriff Clarke.</p> <p>23 How did you become aware of Dan Black?</p> <p>24 A From working at the airport and going to a -- I</p> <p>25 guess a service call, a call.</p>	<p>1 Q Can you tell me about that call?</p> <p>2 A January 15th sometime in the afternoon I was</p> <p>3 assigned to the airport and was working as a</p> <p>4 concourse squad. I believe around 12:30 I was</p> <p>5 informed by our -- I guess you call it the dispatch</p> <p>6 guy at the airport that the sheriff was arriving on</p> <p>7 a flight, and there was an unruly passenger -- I</p> <p>8 believe that's what it started out as -- and it</p> <p>9 should be arriving approximately 2:50 p.m. Maybe</p> <p>10 40 minutes later we learned that it was going to be</p> <p>11 arriving at around 2:25 p.m.</p> <p>12 Q And who was the dispatch guy?</p> <p>13 A Mike Castle. We dispatch our own -- a deputy does</p> <p>14 dispatch at the airport.</p> <p>15 Q Did Deputy Castle tell you anything else?</p> <p>16 A Well, it was on the phone and -- no, I don't -- I</p> <p>17 don't think we really had much information on it.</p> <p>18 Q Okay. And which phone was this on?</p> <p>19 A Well, my cell phone to his -- from the airport</p> <p>20 phone I think I -- I believe he told me via phone</p> <p>21 to call him.</p> <p>22 Q Sure, sure.</p> <p>23 Did Deputy Castle direct you to do</p> <p>24 anything?</p> <p>25 A Well, he said I had to go to the call and told</p>

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1 me -- I don't even know if he had a gate. I had to
 2 figure out what gate it was and what time and
 3 what -- I believe it was an American Airlines
 4 flight at the time, which was -- and which it was.
 5 Q How did you figure out that information?
 6 A I'm not exactly sure if I looked on a board, or
 7 maybe somewhere down the line someone found out
 8 which gate it was. They only have like three gates
 9 at American; they're all right next to each other.
 10 I couldn't even tell you which gate it is, like 51,
 11 52, 53, 54, 56.
 12 Q Okay. What did you do after you got the call,
 13 after you figured out which gate to go to?
 14 A Well, I think it was a -- I didn't have to go up
 15 for like at least an hour. I don't know, I just
 16 walked around the airport. And when it got close
 17 to the time, I went up towards the gate.
 18 And then while at the gate, I was met by
 19 Deputy Paull, Steve Paull, was up there; the
 20 captain; the sergeant; and then the canine handler.
 21 Q Sure. So let me just back up.
 22 This call that you got from Deputy
 23 Castle was about an hour away from when the flight
 24 was arriving in Milwaukee?
 25 A Sure. I mean, I -- I couldn't tell you. I know it

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1 A The -- I think briefly the captain, he showed me a
 2 text message on his phone re- -- I think that there
 3 may have been some conversation prior to this that
 4 it went from -- because, I mean, I think -- I think
 5 everybody thinks, yeah, we got an unruly passenger
 6 on the plane, maybe there's going to be an arrest
 7 to, well, there's a guy on the plane that the
 8 sheriff wants ID'd, questioned and identified.
 9 And -- and then I believe the captain
 10 said it's going to be a guy wearing -- getting off
 11 the plane that's wearing -- wearing some kind of
 12 hat -- I want to say -- it wasn't a safari hat, but
 13 somebody -- the individual that we're going to be
 14 talking to has a hat on, and he just wants him
 15 ID'd.
 16 And I believe I talked to Steve Paull
 17 prior to that. Steve was going to do the talking
 18 to the subject, and then I'll run his name,
 19 identify him.
 20 Q Did you have any other conversation with anyone
 21 else at that time?
 22 A I can't -- I can't -- not that I -- nothing -- you
 23 know, maybe possibly, but it was all about this --
 24 his arrival. And what -- and I don't believe I
 25 spoke to Deputy Mills or even the sergeant. So it

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1 was before, yes.
 2 Q Do you think it was less than a half hour before?
 3 A No.
 4 Q Do you think it was more than a half hour before?
 5 A Yes.
 6 Q Okay. So you go to the gate. And you said you're
 7 met there by Captain Witek, Sergeant -- is that
 8 right?
 9 A Yep. Yes. Sorry.
 10 Q Sergeant Sajdowitz?
 11 A Yes.
 12 Q Deputy Mills?
 13 A Yes.
 14 Q Her dog, Sam?
 15 A Sure. That's her dog's name, I believe.
 16 Q Anyone else?
 17 A No.
 18 Q How about Deputy Paull? Was he there?
 19 A I'm sorry. Yeah.
 20 Q Sure. Again, it's not a trick question. I
 21 understand. Okay.
 22 Did you have any conversations with
 23 anybody before you met with that group of folks?
 24 A Yes.
 25 Q Who?

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1 would have been between me, Steve, and the captain,
 2 and it would have been on what's happening.
 3 Q Sure. Can you remember anything about your
 4 conversation with Captain Witek?
 5 A He -- you know -- I know he showed me a text or
 6 showed Steve and I a text. I don't recall reading
 7 the text in its entirety, and I don't even recall
 8 who the text was from. At the time it was unclear.
 9 I didn't know if it was a direct text from the
 10 sheriff or if it was from the Inspector Bailey.
 11 But I do recall seeing -- seeing
 12 something to the effect of I want this guy ID'd,
 13 and if he's not an asshole, he can be released or
 14 he can -- if he's -- he's okay to go or -- I --
 15 something to that effect. I can't recall
 16 specifically.
 17 Q Can you remember anything else about your
 18 conversation with Deputy Paull?
 19 A Not specifically, no, other than let's just get
 20 this guy identified and be done with it.
 21 Q Okay. So you're standing at the gate with Deputies
 22 Paull and Mills and Sergeant Sajdowitz and Captain
 23 Witek, right?
 24 A Yes.
 25 Q And what happens?

<p style="text-align: right;">Page 10</p> <p>1 A Well, the sheriff -- well, the plane taxied, 2 sheriff got off. He was one of the first -- I 3 don't know if he was the first person, but he was 4 one of the first people. He kind of came over and 5 stood by the captain. And then we watched as other 6 people exited the plane off the jetway. 7 And I remember I thought it was kind of 8 strange that the sheriff was -- didn't just go and 9 leave right away. And I -- I don't know who I 10 asked. I said, is he staying, and then somebody -- 11 it would have had to have been either Sajdowitz or 12 the captain that said, he's going to point the guy 13 out and then let us know which guy it is that he 14 wants us to speak with. 15 And then saw Mr. Black come off the 16 plane; he had a hat on. And he said, "That's him." 17 So then they -- the captain, Deputy Mills, and the 18 sergeant left with the sheriff down towards the 19 baggage area. 20 And then when Mr. Black exited the 21 plane, Deputy Steve Paull and I approached him as 22 he was walking and informed him that we needed to 23 speak with him. 24 And it was busy -- it was busy on the 25 concourse on that -- that area of the concourse</p>	<p style="text-align: right;">Page 11</p> <p>1 with passengers on a -- it was a Sunday; a lot of 2 people flying in and flying out. 3 So we went -- we told him we were going 4 to go somewhere and talk where -- you know, where 5 we can talk without any -- a place where there's a 6 little bit more privacy. 7 And we proceeded to walk towards the end 8 of the hammerhead on Concourse D behind the little 9 Colectivo coffee place where there was nobody 10 around. 11 Q And when Sheriff Clarke gets off of the airplane, 12 you said he's standing next to Captain Witek? 13 A I don't know. 14 Q Is he standing next to -- 15 A He wasn't standing next to me. I know that. 16 Q Did you hear any conversation? 17 A No. 18 Q Did you have any conversation with Captain Witek at 19 that time? 20 A No. 21 Q And so can you tell me how you knew that Mr. Black 22 was the guy you needed to -- 23 A Well, they said it was going to be a gentleman 24 wearing a hat. And I believe it was maybe the 25 sergeant that said, "That's him." And then that's</p>
<p style="text-align: right;">Page 12</p> <p>1 when we approached him. There was nobody else 2 wearing a hat that got out of the plane, so... 3 Q And about how much time had passed? 4 A From standing at the gate -- from getting to the 5 gate to when he exited? 6 Q No, from when Sheriff Clarke got off of the plane 7 to when you saw Mr. Black. 8 A I don't know how much time, but, I mean, it seemed 9 to me that -- probably at least 30 passengers' 10 worth, so maybe -- I don't -- minutes. 11 Q Sure. So you and Deputy Paull approach Mr. Black, 12 right? 13 A Correct. 14 Q And what do you say to Mr. Black? 15 A I was behind him, and I don't know if Steve was in 16 front of me. And I believe I -- I may have spoke 17 to him first. I said, hi, we need to -- I don't 18 even know if I identified myself, "Hi, Deputy 19 Hartung" -- we need to speak to you about something 20 on the plane, and we're going to -- just keep 21 walking, we'll keep walking right over here to an 22 area where we have a little bit more privacy. 23 We didn't really -- you couldn't really 24 have a conversation; there was so many people, and 25 it was loud. And he was kind of like, okay, and</p>	<p style="text-align: right;">Page 13</p> <p>1 just go with us, and we just kind of went over -- 2 over to where we ended up. 3 I mean, it wasn't even planned that we 4 would go there, but -- maybe -- maybe briefly it 5 was planned. I knew we weren't going to talk -- I 6 think between Steve and I, I knew we weren't going 7 to talk to him right there at the gate; there was 8 too many people. I knew we weren't going to our 9 office to talk to him. 10 And we talked to him behind -- by the -- 11 where I said we did, I don't know, behind Colectivo 12 it's called. 13 Q Okay. So you get to Colectivo. What happens? 14 A Deputy Paull began a quick, I guess, field 15 interview with Mr. Black explaining -- or I think 16 he asked him if anything had happened on the plane 17 specifically with the sheriff. And Mr. Black said, 18 oh, this is what this is about, or something to 19 that effect. 20 It was somewhat of a brief conversation 21 with something to the effect -- well, he said, 22 well -- how did he put it? Dan -- Mr. Black was -- 23 stated, I didn't know that was -- I saw a guy that 24 looked like the sheriff wearing a Cowboys 25 sweatshirt and a Cowboys hat; the Packers are</p>

<p style="text-align: right;">Page 14</p> <p>1 playing the Cowboys later that afternoon. 2 He seemed -- I believe that Mr. Black 3 was a little surprised that the sheriff would be 4 wearing a Cowboys sweatshirt and hat on a Packer 5 day. And he just want -- he said, I didn't -- he 6 said, it looked like the sheriff, but I was threw 7 off by what he was wearing. I just wanted to make 8 sure it was the sheriff, so I asked him, are you 9 the sheriff I believe as they were getting on the 10 plane. 11 And then the sheriff said to Dan, yeah, 12 are we going to have a problem? And Mr. Black 13 said -- I don't even know what he said to me. He 14 probably said no. Obviously, he didn't say, yeah, 15 we're going to have a problem, but I don't know 16 what was actually -- I believe he said no and then 17 proceeded to go farther down in the plane towards 18 his seat. 19 Right somewhere in that brief -- while 20 he was explaining that brief encounter, I asked 21 Mr. Black for his -- some ID -- a form of ID. He 22 gave it to me. I ran his name through our 23 dispatch, and Steve -- Deputy Paull continued to 24 ask a few more questions. I didn't hear the 25 whole -- what specifically -- what it was, but I</p>	<p style="text-align: right;">Page 15</p> <p>1 ran -- and I ran Mr. Black's name, I confirmed 2 that -- his address. Because he had an Illinois 3 driver's license, but he said he graduated recently 4 from UWM I believe in that December. And I just 5 wanted to confirm what his current address was, 6 which wasn't in Illinois; it was an address in the 7 River West neighborhood. And then I confirmed 8 his -- what his cell-phone number was. 9 Q Okay. Let's unpack that a little bit. 10 You said that you asked for Mr. Black's 11 ID? 12 A Yes. 13 Q Do you remember what you said? 14 A Probably what I always say, "Got any ID on you?" 15 Q All right. And then you said you ran his ID? 16 A Yes, I ran his -- ran his name -- well, I gave his 17 name to our dispatch and -- for the log, which he 18 never put the guy's name in a log, which he should 19 have probably, but -- and then he -- and then he 20 checked him for warrants. 21 Q And when you say you gave it to dispatch, you mean 22 Deputy Castle? 23 A Yes. Correct. 24 Q So I just want to make sure that I understand what 25 happened.</p>
<p style="text-align: right;">Page 16</p> <p>1 So you ask him for his ID, you take his 2 ID, right, and then you -- what do you do? 3 A I -- 4 Q Do you walk away? Do you -- what do you do? 5 A I said to him, my squad's 410, and then I called to 6 squad 414, which is the dispatch, I got a name for 7 you, gave a last name, first name, middle initial, 8 date of birth, explained it was an Illinois ID. 9 And then while I wait for the response 10 back, I jotted down -- I believe -- I always 11 write -- usually when I do an FI card, I always do 12 a -- I write the subject's name down and birth 13 date, and I always put the driver's license number 14 on -- it's just a habit I have -- and confirm 15 address. I put a new address down and get his 16 cell-phone number. 17 Q And where were you in terms of physical proximity 18 to Deputy Paull and Mr. Black while you're doing 19 this? 20 A Probably -- we were -- you could be Mr. Black, you 21 could be Deputy Paull, and I could be me, but we 22 would be closer, like a little triangle and 23 standing within feet of each other. 24 Q Right. Let me ask the question this way: When you 25 ran Mr. Black's ID, did you walk away, or did you</p>	<p style="text-align: right;">Page 17</p> <p>1 stay where you were at? 2 A I may have stepped a couple of feet over just to 3 get a clear transmission through my radio possibly 4 and so that -- because I knew Deputy Paull was 5 still speaking to Mr. Black. I mean, I didn't want 6 to be yelling as they're talking. But it wasn't 7 like out of ear -- maybe out of earshot, but I 8 mean, 5, 6 feet at most. That's usually what I do. 9 And also because when I'm standing with another 10 deputy, we got to kind of separate or else all you 11 get is a big squelch on the radios. So that's just 12 kind of a habit. 13 Q Sure. So what happens after that? 14 A Well, I recall I had to give Mr. Black's name a 15 second time, because -- I don't know if Deputy 16 Castle didn't get the name. So I think he 17 reentered it or maybe ran it under a different 18 state or may just did the wrong spelling. I don't 19 recall. Because I remember I had to give the name 20 a second time, so it took a little bit longer. 21 And then I got information back saying, 22 yeah, he comes back out of this -- out of this 23 address out of Illinois, he's got no wants. 24 Gave the ID back to him, and then Deputy 25 Paull and I remained with Mr. Black a few minutes</p>

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1 later -- or for a few more minutes, because -- I
 2 forgot to tell you earlier when you said what else
 3 was -- we were talking about, I remember Captain
 4 Witek said stay with Mr. Black until the sheriff
 5 leaves the baggage area. I forgot to mention that.
 6 So we stayed a little bit longer after
 7 the name was ran, and we had some small talk, found
 8 out that all three of us had actually attended UWM.
 9 Steve mentioned something about -- Deputy Paull
 10 mentioned something about going to a concert back
 11 in like the fall of '88 or something like that at
 12 the dorm -- on top of the dorm; I believe it was
 13 called Channel One at the time. Steve -- Deputy
 14 Paull mentioned to Mr. Black that I went to UWM and
 15 I played rugby, and then Mr. Black said he played
 16 rugby. I asked him if he played at UWM. No, he
 17 didn't play at UWM, but he played in Peoria. I
 18 don't even recall if he was on the team or not.
 19 Some kind of small talk like that. Nothing that
 20 had to do with anything on the plane.
 21 He also -- I think I asked him where he
 22 was coming from and what was he doing in Dallas
 23 over the weekend, and he said that he was at a
 24 friend's wedding, I believe a high-school friend's
 25 wedding.

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1 unusual about that. Obviously, he wanted to leave.
 2 So I think I asked him, I said, well, do you have
 3 any baggage that you checked that you need to go
 4 down to baggage. He's like, no, this bag what I
 5 have is what I brought on the plane. I'm like, all
 6 right, let's go, we don't need to go to baggage,
 7 then.
 8 So then Deputy Paull and I just kind of
 9 went with him down the concourse. I know he made
 10 another phone call. We just wanted to get him back
 11 to his -- his ride for who was picking him up.
 12 And I think we discovered that the
 13 person that was picking him up actually ended up
 14 being on the ticketing drive instead of the front
 15 baggage drive. Okay, that's simple, let's just go
 16 down this escalator, and we'll help you get to
 17 where your guy is and --
 18 I don't -- I don't recall talking at all
 19 on the way from the Colectivo place on the
 20 concourse down to -- down to we got down to the
 21 ticketing drive, because I was pretty far behind
 22 him, Mr. Black, and Steve -- Deputy Paull was
 23 pretty -- was probably 10 feet in front of him. So
 24 nothing was said then. I don't know what was said
 25 prior to him getting in the car and leaving, but...

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1 Q Sure. If we could just back up to the -- what
 2 Captain Witek told you about staying with Mr. Black
 3 until the sheriff leaves?
 4 A Yeah, I forgot to mention that when you asked what
 5 else was said.
 6 Q When did he say that?
 7 A Around the same time he was showing us the text.
 8 Q Okay.
 9 A He didn't want any more -- he didn't want -- we
 10 didn't know what happened on the plane or what the
 11 whole -- what this disturbance and unruly passenger
 12 whole situation was, but I know the captain didn't
 13 want any confrontations later on.
 14 Q So that was before Sheriff Clarke got off the
 15 plane?
 16 A Correct. Yes.
 17 Q All right. So back to where we were.
 18 So you're making small talk with
 19 Mr. Black, and then what happens?
 20 A I think he -- you know, he's like -- Mr. Black
 21 said, you know, I got somebody that's coming to
 22 pick me up, do you mind if I call him? Fine, go
 23 ahead and call.
 24 He made a phone call, and then he -- he
 25 wanted to leave. I mean, I didn't see anything

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1 Q Sure. Then what did you do after that?
 2 A Well, then Deputy Paull and I walked north from the
 3 ticketing drive towards our office and met with the
 4 captain and the sergeant. It was roughly 3:00 at
 5 this time. And I remember Captain Witek said,
 6 okay, turn in the FI card and make sure you have a
 7 daybook entry on this incident -- no, I think he
 8 asked -- also asked -- obviously, he asked, well,
 9 what did Mr. Black say or what did the guy say. He
 10 didn't know it was Mr. Black at the time.
 11 And we told him about the encounter,
 12 which we believe was all based on the sheriff
 13 wearing his Cowboys sweatshirt and Cowboys hat, and
 14 Mr. Black just wanted to make sure that -- or I
 15 wouldn't say he was confused, but he recognized the
 16 sheriff as from being on the TV but wanted to make
 17 sure it was the sheriff, because he was thrown off
 18 a little bit by the sheriff wearing a Cowboys
 19 outfit, garb, clothing.
 20 Q Do you remember anything else about that
 21 conversation?
 22 A Not at the time, not specifically. I mean, it
 23 was -- that's basically in a nutshell what it is.
 24 I mean, it just -- that's it. I mean, we didn't
 25 really discuss it too much. It seemed reasonable

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1 to make just a daybook entry. There was no need to
 2 make any reports. It wasn't -- there wasn't an
 3 arrest, there wasn't -- I mean, we didn't ask him
 4 to go to our office; there was no incidents.
 5 Q Have you had any conversations with anyone else
 6 about what happened?
 7 A Our union rep and lawyers, the FBI, a couple of FBI
 8 agents, U.S. Assistant District Attorney Mel
 9 Johnson. I mean, outside of the people that --
 10 with the people that -- with the incident or --
 11 Q Yeah.
 12 A I mean, that's pretty much -- my wife.
 13 Q Sure. I won't ask about your conversations with
 14 your wife.
 15 A I think my mom wanted to know what was going on,
 16 because she saw everything on the news.
 17 Q What did you tell your mom?
 18 A I said, well? I said, pretty much, yeah,
 19 everything you see on the news, that's pretty much
 20 what happened.
 21 Q What did you --
 22 A Except we -- except I -- I don't know what I
 23 exactly told my mom. I said, what you saw on the
 24 news is pretty much what happened except he wasn't
 25 arrested. We just -- I said the whole encounter

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1 with the union rep, but I recall the union rep
 2 approaching me, hey, I'm going to -- I heard about
 3 what happened. Or maybe he was aware of what
 4 happened and -- I don't know how that all came
 5 about. But he said, well, I'm going to call
 6 your -- the attorneys, let them know so they can
 7 contact you. And I was contacted by one of the
 8 union attorneys.
 9 Q What is the union rep's name?
 10 A Bob Ostrowski.
 11 Q Can you spell that?
 12 A Robert, R-O-B-E-R-T. Ostrowski, O-S-T-R-O-W-S-K-I.
 13 Q What did you tell AUSA Mel Johnson?
 14 A I didn't really tell him much. I don't think he
 15 really asked too many questions. I know the FBI
 16 asked similar questions that you're asking. And
 17 just gave them the answers.
 18 Q Do you remember who you spoke with at the FBI?
 19 A I think I have a card. A female. Well, I had a
 20 card. I -- you know, for the life of me, I can't
 21 remember her name.
 22 Q Does the name Jennifer Wilkowski sound right?
 23 A Yes.
 24 Q All right. If I could -- is there anyone else that
 25 you talked to other than the FBI,

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1 was over the sheriff being the sheriff, a
 2 recognizable figure, and the sheriff wearing his
 3 Cowboys sweatshirt and hat.
 4 Q What did you tell your union rep?
 5 A There's nothing --
 6 MR. BOHL: Well, if your union rep is an
 7 attorney --
 8 THE WITNESS: No, he's -- well, the
 9 president of the union and the attorneys.
 10 BY MR. SULTON:
 11 Q Oh, they were all in the same meeting?
 12 A Well, he -- our president contacted our attorneys
 13 prior to our meeting with the -- with the FBI.
 14 MR. BOHL: Deputy, information you
 15 conveyed to your attorneys is privileged, and you
 16 shouldn't answer questions concerning what you told
 17 or communicated in any way with your lawyers.
 18 BY MR. SULTON:
 19 Q Right. But what I'm asking is, was the
 20 conversation with you and the union rep, or was it
 21 with you and the union rep and a lawyer? Because
 22 if there was a lawyer involved, I don't want to
 23 know. I just want to know about conversations with
 24 nonlawyers.
 25 A Well, I don't specifically recall a conversation

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1 U.S. Attorney's --
 2 A Not that I can recall, no.
 3 Q Have you spoken with Sheriff Clarke?
 4 A No.
 5 Q If I could take you back to when Dan Black gets off
 6 the plane and you are escorting him through the
 7 concourse --
 8 A Yes.
 9 Q -- where are you physically?
 10 A Behind Mr. Black about -- at least 10 feet, if not
 11 more.
 12 Q Okay. And where is Deputy Paull?
 13 A Ahead of Mr. Black. I don't recall how far ahead.
 14 Probably at least 10 feet.
 15 Q Are you familiar with the term "bracketing"?
 16 A Sure. In a police sense?
 17 Q Yes.
 18 A Yeah.
 19 Q Were you and Deputy Paull bracketing Mr. Black?
 20 A No.
 21 Q Can you tell me what bracketing is?
 22 A It's like contact cover, standing with a subject.
 23 Probably more of a bracketing probably with our
 24 contact with him -- initial contact with him on the
 25 concourse.

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1 Q What's the purpose of bracketing?

2 A **Officer safety.**

3 Q Okay. I'm going to show you what's been identified

4 as Exhibit 1.

5 Have you seen Exhibit 1 before?

6 MR. BOHL: Other than perhaps me showing

7 it to you.

8 **THE WITNESS: Yeah, this is a --**

9 **actually, I don't even remember this at all.**

10 BY MR. SULTON:

11 Q Okay. If I could direct your attention to the

12 fourth --

13 A **Yes, okay. I seen it.**

14 Q Do you remember when you first saw it?

15 A **I remember looking at the first lines -- wait a**

16 **minute. I remember looking at the first lines on**

17 **a -- at the gate with the captain when he showed it**

18 **to me, but I didn't read the bottom lines.**

19 Q When you say "the bottom lines," what do you mean?

20 A **I don't recall reading "Follow him to baggage and**

21 **out the door."**

22 Q Do you recall reading --

23 A **And definitely not "Escort me to the carousel after**

24 **I point him out." I didn't read any of that. I**

25 **just read the first four lines.**

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1 suspicion to conduct a field interview?

2 A **Well, you need -- you need some sort of complaint**

3 **or you see something -- you either hear or see**

4 **something in which you would want to speak with**

5 **someone about.**

6 Q Sure. Let me ask this question: Do you know what

7 I mean when I say reasonable suspicion?

8 A **Sure.**

9 Q Okay. So, again, I'll ask my question again.

10 Is it your understanding that you need

11 reasonable suspicion of some wrongdoing in order to

12 conduct a field interview?

13 A **Generally, yes. I mean, yeah, any time I -- any**

14 **time I want to speak with somebody in a legalese**

15 **sort of way, like, for example, at the airport and**

16 **where I'm going to ID him, I would like -- I'm**

17 **going to have some reasonable suspicion.**

18 **But, I mean, there's several times**

19 **throughout a day maybe that you may talk to people**

20 **on the streets or wherever where it's -- it's just**

21 **as if you were -- you know, just friendly talk. I**

22 **mean, I'm not trying to think too deep into this,**

23 **but maybe I am.**

24 Q You said something that was interesting to me. You

25 said, "When I want to ID them." Do you mean field

Page 27

1 Q I tell you what, why don't you read to me what you

2 read that day.

3 A **"Just a field interview, no arrest unless he**

4 **becomes an asshole with your guys. Question for**

5 **him is why he said anything to me. Why he didn't**

6 **just keep his mouth shut."**

7 Q That's what you read on the day?

8 A **Yes, on --**

9 Q Do you know what a Terry stop is?

10 A **Sure. It's a pat down.**

11 Q Is a field interview a term that you use in your

12 department?

13 A **Field interview, no. FI stop, yes.**

14 Q Well, I want to make sure we're talking about the

15 same thing. Is a field interview different than a

16 Terry stop?

17 A **Yes.**

18 Q How is it different?

19 A **Field interview is just when I'm speaking with**

20 **someone. A Terry stop is when you actually frisk**

21 **someone for weapons.**

22 Q Is it your understanding that you need reasonable

23 suspicion to conduct a Terry stop?

24 A **Yes.**

25 Q Is it your understanding that you need reasonable

Page 29

1 interview?

2 A **I think any time you ID someone, it would be a**

3 **field interview, sure.**

4 Q All right. And I agree with the gist of what

5 you're saying, which is if you walk up to a citizen

6 just to have a conversation, you don't need

7 reasonable suspicion for that, right?

8 A **I hope not.**

9 Q But if you want to ID the person or field interview

10 them, you do? Is that your understanding?

11 A **For the most part, yes. I mean, I -- a field**

12 **interview to me means you're ID-ing someone and**

13 **filling out the FI card and going from there.**

14 **I wouldn't say I fill out an FI card all**

15 **the time when I field interview somebody. I mean,**

16 **I don't know if I would go so far as to say a**

17 **traffic stop is a field interview, but I'm going to**

18 **be ID-ing somebody in a traffic stop, in a car**

19 **accident.**

20 Q Sure. But in the nontraffic stop cases.

21 A **If it's a suspicious person or if I have a**

22 **reasonable suspicion to -- like if I see a guy**

23 **maybe climbing the fence at the airport, I'm**

24 **probably going to FI him. It's reasonable**

25 **suspicion.**

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1 Q Okay.

2 A You know, if -- if I see a guy just jogging down

3 the street along the airport, I'm not going to stop

4 him.

5 Q Okay. If I could direct your attention back to

6 Exhibit 1.

7 A Sure.

8 Q So it says, "Just a field interview, no arrest

9 unless he becomes an asshole with your guys."

10 Right?

11 A Yes.

12 Q How did you interpret that?

13 A To me it's ID him and release him. ID and -- just

14 identify him and let him go.

15 Q Okay. Then next --

16 A And then I -- yeah, except for the asshole part.

17 So hopefully nothing goes bad with it so we can

18 just let him go.

19 Q Okay. The next sentences are: "Question for him

20 is why he said anything to me. Why didn't he just

21 keep his mouth shut."

22 How did you interpret that?

23 A Well, I mean, generally, I think at the time it was

24 let's just ask him what he did or said on the

25 plane, because we didn't have any ID -- because we

Page 32

1 MR. BOHL: Could we take about a

2 five-second break?

3 MR. SULTON: Absolutely.

4 (Pause in proceedings.)

5 BY MR. SULTON:

6 Q All right. Back on Exhibit 4. Do you see entries

7 for Sunday, January 15th, 2017 --

8 A Yes.

9 Q -- starting at the bottom of the right page?

10 I just want to make sure that I have

11 your -- that I understand your handwriting, all

12 right? So it says, Sunday, January 15, 2017,

13 right?

14 A Correct.

15 Q And it says, 0700 through 1500?

16 A Yes.

17 Q Airport?

18 A Yes.

19 Q Says squad 412. That's you, right?

20 A Correct. That's --

21 Q Then it says slash, then it says 408, and that's

22 crossed out, right?

23 A Correct.

24 Q And then it says 410?

25 A Yes.

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1 don't have a -- all we have is this sentence. We

2 didn't have -- we didn't ask the sheriff what it

3 was that Mr. Black had said to him. Nobody --

4 nobody did.

5 So when Deputy Paull talked to

6 Mr. Black, he was like, what did you say on the

7 plane, something -- he asked him: What happened on

8 the plane, what did you say on the plane.

9 Q Do you remember Deputy Paull asking what he thought

10 of Sheriff Clarke?

11 A Yeah, he did. He asked him that. He -- yeah. And

12 Mr. Black replied: "No comment," I believe. He

13 asked him -- he said, what do you think of the

14 sheriff?

15 (Exhibit No. 4 was marked.)

16 BY MR. SULTON:

17 Q Have you seen Exhibit 4 before?

18 A Yes.

19 Q Can you tell me what it is?

20 A It's copies of my daybook.

21 Q And what is a daybook?

22 A Memo book carried by deputies or generally

23 law-enforcement officers to document events that

24 occur during one's shift or patrol.

25 Q Okay.

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1 Q Who is 410?

2 A Me.

3 Q And then it says, Sergeant Sajdowitz, right?

4 A Supervisor, yes.

5 Q Okay. And then it says 0700, squad 412, patrol of

6 baggage and ticketing?

7 A Correct.

8 Q And that was your assignment that day?

9 A That was the assignment for the first part of the

10 day, the first four hours.

11 Q And then it says, 1100, squad. And then what is

12 that?

13 A 410.

14 Q Okay. And then moving onto the second page of

15 Exhibit 4.

16 A Yes.

17 Q It says, 1150, patrol of Concourse C?

18 A Yep.

19 Q And it says, 1215, right?

20 A Yep.

21 Q Is that HSP?

22 A HVP. It stands for high-visibility patrol where we

23 sit at the podiums. They're different than --

24 patrol the concourse is when you walk through the

25 entire concourse. For the most part, the

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1 **concourse -- the high-visibility post I should say,**
 2 **not patrol. High-visibility post is when we post**
 3 **at certain locations at the airport. Maybe you've**
 4 **seen them there, they have the podiums with the big**
 5 **sheriff emblem on them. The security and -- both**
 6 **for the county at the airport and the TSA like when**
 7 **we do high-vis. posts at locations which are**
 8 **generally on the -- by the security screening.**
 9 Q Okay. So this line of your daybook says, 1215, HVP
 10 Concourse C?
 11 A **Correct.**
 12 Q Next line is 12:45, patrol Concourse E?
 13 A **Yes.**
 14 Q Next line is 1300, HVP Concourse E?
 15 A **Yes.**
 16 Q Next line is 1330 patrol Concourse D?
 17 A **Yes.**
 18 Q Next line is 1350, HVP Concourse D?
 19 A **Yes.**
 20 Q Next line is 1415 patrol Concourse D?
 21 A **Yes.**
 22 Q Next line, what does that say?
 23 A **At gate for arrival of Dallas, and in parentheses**
 24 **American, Flight 1534 with Captain Witek, Sergeant**
 25 **Sajdowitz, Deputy Paull. Sheriff's plane arrived,**

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1 Q Okay. Then it says, Illinois driver's license
 2 number B420-1649-2344?
 3 A **Yes.**
 4 Q And then it says, again, triangle, meaning subject?
 5 A **Subject stated to sheriff while boarding: Are you**
 6 **Sheriff Clarke, question mark.**
 7 **Do you want me to keep going?**
 8 Q Yeah. Go ahead.
 9 A **Okay. He -- Mr. Black, in other words, but it's**
 10 **not saying that -- but he -- that's who I'm**
 11 **referring to -- states that sheriff responded,**
 12 **"Yes, do we have a problem?" Subject wasn't sure**
 13 **if it was him, the sheriff, because he was wearing**
 14 **Cowboys garb sweatshirt.**
 15 Q And is that the last entry on your daybook on --
 16 A **Yes.**
 17 Q All right.
 18 (Exhibit No. 5 was marked.)
 19 BY MR. SULTON:
 20 Q Before you is Exhibit No. 5. Have you seen this
 21 exhibit?
 22 A **Yes.**
 23 Q Tell me what it is.
 24 A **It's a county sheriff field interview card -- on**
 25 **the top it says report, but I refer to it as an FI**

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1 **and we, Paull and I, were asked to ID a subject on**
 2 **plane and escort him off airport and release**
 3 **subject if cooperative.**
 4 Q Now, that's referring to Mr. Black, right?
 5 A **Yes.**
 6 Q And then you see next to it says, escort him off
 7 airport and release, and then there's like a
 8 triangle?
 9 A **And release subject. Triangle is subject.**
 10 Q Okay. Okay. So on the next line it says
 11 triangle -- that means subject -- ID'd by valid
 12 Illinois driver's license, right?
 13 A **As, semicolon, Daniel David Black.**
 14 Q And then that's male, white --
 15 A **Yep. Birth date.**
 16 Q 12/3/92?
 17 A **Yep. Yes.**
 18 Q And then it says 603 dash?
 19 A **That's his cell-phone number -- no, I'm sorry,**
 20 **that's his height and weight, his pedigree.**
 21 Q So it says 603, slash, 220. Is that brown and
 22 brown?
 23 A **Brown and brown.**
 24 Q Meaning brown hair and brown eyes?
 25 A **Brown eyes, brown hair.**

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1 **card.**
 2 Q All right. I just want to make sure that I
 3 understand your handwriting.
 4 It says, Daniel David Black, right?
 5 A **Yes.**
 6 Q And then it says, M for male, W for white, and
 7 12/3/92 for date of birth. Right?
 8 A **Yes.**
 9 Q Then it gives his address as 1129 East Walworth
 10 Street, right?
 11 A **Yes.**
 12 Q In Milwaukee, Wisconsin, 53212?
 13 A **Right.**
 14 Q It says, hair brown, height six-three, weight 220,
 15 right?
 16 A **Yes.**
 17 Q And then it gives the Illinois driver's license as
 18 IL B420-1649-2344, right?
 19 A **Yes.**
 20 Q And then where it says employer or school, there's
 21 a C.
 22 A **Yeah.**
 23 Q I just want to make sure. Is this a Social -- what
 24 number is this, cell phone?
 25 A **Cell-phone number. There's a -- these cards are --**

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1 I don't know, I've seen them for 22 years, they
 2 haven't changed one bit; they were probably there
 3 way before I was there. But there's not -- I don't
 4 believe there's no location on the FI card for
 5 phone numbers.
 6 Q Okay. So that's a phone number?
 7 A Just like writing the old tickets, they used to not
 8 have a phone-number attachment either. Somehow
 9 over the years we got used to writing cell numbers
 10 or phone numbers for everybody. First phone
 11 numbers and now, obviously, cells, because
 12 everybody uses a cell phone. Okay.
 13 Q Now, beneath that it looks like a second address.
 14 It says, 1025 Hillcrest Drive, Washington,
 15 Illinois?
 16 A I believe that's the address that was on the
 17 Illinois driver's license.
 18 Q Okay. And then beneath that, of course, we've got
 19 the zip code. But further down you've got a -- it
 20 says, date 1/15/17. Right?
 21 A Yes.
 22 Q And then it says, time 1445?
 23 A Yes.
 24 Q And then what does that say?
 25 A SU, Sunday.

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1 walking out of the office -- or walking down to the
 2 office at five to 3:00. So I believe this is
 3 roughly when I did end -- when we were wrapping it
 4 up at the Colectivo spot prior to leaving the
 5 concourse.
 6 Q I just want to make sure I understand that. So in
 7 general, the time represents the time you made
 8 contact with the subject?
 9 A Yes.
 10 Q As it relates to Exhibit 5, the time, does that
 11 represent the time you had contact with Mr. Black
 12 or the time when you separated from Mr. Black?
 13 A I think when we were leaving, I -- I usually glance
 14 at my watch, okay -- fill out the card, glance at
 15 my watch, look at it, and -- I just -- you know,
 16 this could be accurate, it might not. I just
 17 believe that the call was -- I believe the -- I
 18 believe the plane landed at like 2:25, 2:30.
 19 And, I mean, it could be the time that
 20 we first started talking to Mr. Black, but for some
 21 reason I remember being down in the office right at
 22 like 3:00, and we were leaving. Because I work
 23 from 7:00 to 3:00, so -- I'm just trying to be
 24 accurate. I don't --
 25 Q Sure, sure.

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1 Q Okay. It says, badge 492. That's your badge,
 2 right?
 3 A Correct.
 4 Q And then J. Hartung?
 5 A Yes.
 6 Q And as it relates to the time 1445, is that when
 7 you completed the FI card?
 8 A Roughly, yeah. I mean --
 9 Q Did you complete the card while Mr. Black --
 10 A I believe I started writing it while I was waiting
 11 for the response from the warrant check, but I was
 12 also kind of engaged in the conversation -- after I
 13 was done talking on the air, engaged in the
 14 conversation between Deputy Paull and Mr. Black.
 15 Q Is it normally your practice to start filling out
 16 the FI card while you're talking to a subject?
 17 A Yes.
 18 Q And then as it relates to the time, do you normally
 19 write the time after the subject leaves?
 20 A Well, normally I write the time when the -- at
 21 the -- the time of the incident, when it's -- when
 22 I have contact with somebody. But I believe at
 23 this -- for whatever reason -- I don't think
 24 this -- this contact with Mr. Black was that late
 25 in the afternoon, because I think we were already

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1 A You know, I don't recall exactly what time I put
 2 that on.
 3 Q Looking further down the card, it says, 1/15/17,
 4 Flight 1534, dash, American, right?
 5 A Yes.
 6 Q And then it says, wheels down at 1428 hours, right?
 7 A Yes.
 8 Q And it says, Sergeant Sajdowitz, Captain Witek,
 9 Deputy Mills, Deputy Paull, right?
 10 A Yes.
 11 Q It says, triangle, again, meaning subject, and then
 12 F/I, meaning field interview, right?
 13 A Yes.
 14 Q It says, off plane from Dallas with Sheriff Clarke,
 15 right?
 16 A Yes.
 17 Q Okay.
 18 (Exhibit No. 6 was marked.)
 19 BY MR. SULTON:
 20 Q All right. I have before you Exhibit 6. Have you
 21 seen that before?
 22 A Yes.
 23 Q What is it?
 24 A This is a -- we use the RMS system -- which don't
 25 ask me what it stands for, but our reports are

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1 **generated on RMS, and this is a field interview or**
 2 **FI-stop entry into the RMS system.**
 3 Q Okay. Is this an entry you made?
 4 A **No.**
 5 Q Who made this entry?
 6 A **The airport clerk.**
 7 Q What is his or her name?
 8 A **Her name is Latrice Burroughs.**
 9 Q Can you spell that, please. L-A-T-R-I-C-E?
 10 A **L-A-T-R-I-C-E, B-U-R-R-O-U-G-H-S.**
 11 Q And where is her office located?
 12 A **She's got a desk at our office at the airport.**
 13 Q Did you have any conversations with Ms. Burroughs?
 14 A **No.**
 15 Q How did Ms. Burroughs -- if you know, how did
 16 Ms. Burroughs create this Exhibit 6?
 17 A **Because I turn in the FI card to her.**
 18 Q Oh, I see. You turn in the FI card, and then she
 19 generates a report like --
 20 A **The FI cards are turned in to her, and she enters**
 21 **them into the RMS system.**
 22 Q Oh, I see. So this is her entering the
 23 information?
 24 A **Correct.**
 25 Q Is Latrice Burroughs a Milwaukee County Sheriff's

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1 **going to the concourse. It was either an unruly**
 2 **passenger or a disruptive passenger.**
 3 Q I want to make sure that I understand.
 4 A **They mean the same to me if you're going to ask**
 5 **that question.**
 6 Q Sure. Disruptive, unruly, we'll use them
 7 synonymously.
 8 A **Disruptive, unruly, irate. That's usually the**
 9 **terminology we hear.**
 10 Q But I want to make sure I understand.
 11 So you get a call from Deputy Castle
 12 about some sort of disturbance on the plane?
 13 A **Correct.**
 14 Q You then go to the gate, and you meet with Captain
 15 Witek, right?
 16 A **Yes.**
 17 Q And Captain Witek shows you Exhibit 1 here, right?
 18 A **Yes.**
 19 Q Do you agree with me that there's nothing in
 20 Exhibit 1 that suggests that there is a disturbance
 21 on the plane?
 22 A **Yes -- well, something happened on the plane.**
 23 Q Sure. But when you -- at the time that you stopped
 24 Mr. --
 25 A **That's why I kind of said earlier when I said, you**

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1 Office employee?
 2 A **Yes.**
 3 Q Okay. Do you know her rank or title -- job title
 4 or anything?
 5 A **No. Clerk? Is it even a clerk? Office clerk?**
 6 **No, I do not. I should know that. I feel terrible**
 7 **not knowing what her title is.**
 8 Q I don't want you to feel terrible.
 9 Let's take a look at the summary
 10 narrative. It says, unruly passenger. And then it
 11 says, warned. And then it says, ampersand, amp
 12 released.
 13 Do you see that?
 14 A **Yeah.**
 15 Q Did you warn Mr. Black?
 16 A **No.**
 17 Q Did Deputy Paull warn Mr. Black?
 18 A **No.**
 19 Q It says, unruly passenger.
 20 Did you have any information that
 21 Mr. Black was an unruly passenger?
 22 A **The only time unruly came out -- I don't even know**
 23 **if unruly came out. It was either unruly or**
 24 **disruptive, the initial call that I got from Deputy**
 25 **Castle earlier -- like the hour prior to the -- to**

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1 **know, it started out as, oh, we've got this**
 2 **disruptive passenger on the plane; by the time we**
 3 **got down to the plane, it was just I want this guy**
 4 **ID'd. So I guess it was downplayed, the incident.**
 5 Q So at the time that you stopped Mr. Black, you did
 6 not believe he was an unruly passenger?
 7 A **Not at all. Not with us. I mean, very**
 8 **cooperative.**
 9 Q Did you believe at the time that you stopped him
 10 that he had been disruptive on the airplane?
 11 MR. BOHL: Objection. Foundation. Asked
 12 and answered. Vague.
 13 **THE WITNESS: So am I answering this?**
 14 BY MR. SULTON:
 15 Q Yeah, you can answer.
 16 A **Can you just say the question again? I'm sorry.**
 17 Q Sure. At the time that you stopped Mr. Black, did
 18 you believe that he had been disruptive on the
 19 airplane?
 20 A **No.**
 21 Q If I could have you put Exhibit 5 and 6 next to one
 22 another -- because I think what you said was
 23 Exhibit 6 was created from the FI card?
 24 A **Yes. This is -- I turn this in to the clerk, and**
 25 **then she enters it into the RMS system.**

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1 Q Do you agree with me that there's nothing on the FI
2 card that you created that says anything about him
3 being unruly? Right?
4 **A Correct.**
5 Q And you agree with me there's nothing on the FI
6 card that's Exhibit 5 that says that he was warned,
7 right?
8 **A Correct.**
9 Q And presumably, I would have to ask Ms. Burroughs
10 where that information came from, right?
11 **A I don't know where she got that. I never spoke to**
12 **her about it.**
13 MR. BOHL: Deputy, just answer the
14 question.
15 BY MR. SULTON:
16 Q Sure.
17 **A What was the question?**
18 Q Sure. I said presumably, I would have to ask
19 Ms. Burroughs about that?
20 **A Yes.**
21 Q And that's because you didn't have a conversation
22 with her?
23 **A Not that I recall.**
24 Q If you did have a conversation with Ms. Burroughs,
25 you did not tell her that Mr. Black was unruly or

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1 MR. SULTON: All right. That's all I
2 have.
3 (Proceedings concluded at 10:57 a.m.)
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1 warned?
2 **A If I did, I could have said it was unruly or a**
3 **disruptive --**
4 MR. BOHL: Deputy, if you don't recall,
5 just say you don't recall.
6 **THE WITNESS: All right.**
7 BY MR. SULTON:
8 Q All right. You've been a deputy for a long period
9 of time, right?
10 **A Sure. Yes.**
11 Q And you're aware that the State of Wisconsin
12 requires you to have 24 hours of training each year
13 to maintain your license, right?
14 **A Yes.**
15 Q And presumably, you've kept up with that training,
16 right?
17 **A Yes.**
18 Q Do you recall receiving any reasonable-suspicion
19 training?
20 **A No, not specifically.**
21 Q Do you recall having received any training on Terry
22 stops?
23 **A I don't -- not specifically, no.**
24 Q Do you recall any training on field interviews?
25 **A No.**

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1 STATE OF WISCONSIN)
) SS:
2 COUNTY OF MILWAUKEE)
3
4
5 I, SARAH A. HART, RPR, RMR, CRR, and
6 Notary Public in and for the State of Wisconsin, do
7 hereby certify that the above deposition was
8 recorded by me on May 18, 2017, and reduced to
9 writing under my personal direction.
10 I further certify that I am not a
11 relative or employee or attorney or counsel of any
12 of the parties, or a relative or employee of such
13 attorney or counsel, or financially interested
14 directly or indirectly in this action.
15 In witness whereof, I have hereunder set
16 my hand and affixed my seal of office at Milwaukee,
17 Wisconsin, this 25th day of May, 2017.
18
19
20
21
22
23
24 My commission expires: October 6, 2018
25

Exhibits	2	7		
Witek Mark 0517 17 Ex.1	2017 32:7,12	7:00 40:23	approached 10:21 12:1	bag 20:4
Hartung Jeffrey 0 51817 Ex.4	22 3:21 38:1		approaching 24:2	baggage 10:19 18:5 20:3,4,6,15 26:20 33:6
Hartung Jeffrey 0 51817 Ex.5	220 35:21 37:14	8	approximately 5:9	Bailey 9:10
Hartung Jeffrey 0 51817 Ex.6	24 47:12	88 18:11	area 10:19,25 12:22 18:5	Baldwin 4:14
	2:25 5:11 40:18	9	arrest 8:6 22:3 27:3 30:8	based 21:12
	2:30 40:18	98/99 4:17	arrested 22:25	basically 21:23
	2:50 5:9	A	arrival 8:24 34:23	began 13:14
0	3		arrived 34:25	beneath 38:13,18
0700 32:15 33:5	30 12:9	a.m. 48:3	arriving 5:6,9,11 6:24	big 17:11 34:4
1	3:00 21:4 40:2,22, 23	Absolutely 32:3	asshole 9:13 27:4 30:9,16	birth 16:8,12 35:15 37:7
1 26:4,5 30:6 44:17,20	4	accident 29:19	assigned 5:3	bit 11:6 12:22 15:9 17:20 18:6 21:18 38:2
1/15/17 38:20 41:3	4 31:15,17 32:6 33:15	accurate 40:16,24	assignment 33:8, 9	Black 3:8 4:23 10:15,20 11:21 12:7,11,14 13:15, 17,22 14:2,12,21 16:18,20 17:5,25 18:4,14,15 19:2, 19,20 20:22 21:9, 10,14 25:5,10,13, 19 31:3,6,12 35:4, 13 36:9 37:4 39:9, 14,24 40:11,12,20 43:15,17,21 45:5, 17 46:25
10 20:23 25:10,14	40 5:10	address 15:2,5,6 16:15 17:23 37:9 38:13,16	Assistant 22:8	Black's 4:21 15:1, 10 16:25 17:14
1025 38:14	408 32:21	afternoon 5:2 14:1 39:25	attachment 38:8	board 6:6
10:57 48:3	410 16:5 32:24 33:1,13	agency 4:19	attended 18:8	boarding 36:5
1100 33:11	412 32:19 33:5	agents 22:8	attention 26:11 30:5	Bob 24:10
1129 37:9	414 16:6	agree 29:4 44:19 46:1,5	attorney 22:8 23:7	BOHL 23:6,14 26:6 32:1 45:11 46:13 47:4
1150 33:17	492 39:1	ahead 19:23 25:13 36:8	Attorney's 25:1	book 31:22
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